

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

JAMES PATRICK VERDREAM,

Petitioner,

v.

No. CIV 15-00469-KG-SMV

FNU MILLER, *Warden*,

Defendant.

**ORDER OF DISMISSAL WITHOUT PREJUDICE**

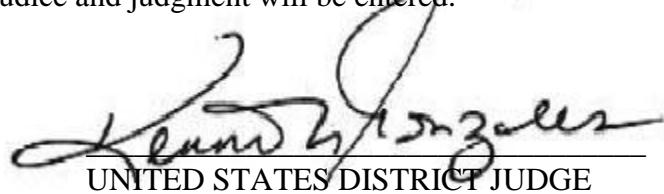
**THIS MATTER** comes before the Court *sua sponte*. On June 24, 2015, the Court ordered Petitioner to file a certified copy of his inmate account statement for the 6-month period immediately preceding the filing of his Application to Proceed in District Court Without Prepaying Fees or Costs. [Doc. 5] The Court warned Petitioner that “[f]ailure to cure the designated deficiency within **30 days** from entry of this Order may result in dismissal of this action without further notice.” [Doc. 5]

Petitioner failed to respond to the Court’s Order. On August 3, 2015, the Court again ordered Petitioner to file a certified copy of his inmate account statement for the 6-month period immediately preceding the filing of his Application to Proceed in District Court Without Prepaying Fees or Costs. [Doc. 6] The Court again warned Petitioner that “[f]ailure to cure the designated deficiency within **30 days** from entry of this Order may result in dismissal of this action without further notice.” [Doc. 6] Because it had come to the Court’s attention that Petitioner may have been transferred from the Torrance County Detention Center to FCI Phoenix, the Court directed the Clerk to mail a copy of the Order to the Petitioner at FCI Phoenix and reminded

Petitioner of his obligation to notify the Court in writing of any change of his address, pursuant to D.N.M.LR-Civ 83.6. [Doc. 6]

On August 10, 2015, the Court's Third Order to Cure Deficiency [Doc. 6] was returned as undeliverable. [Doc. 7] Petitioner has neither complied with the Court's Orders requiring him to submit a current certified copy of his inmate account statement, nor has he updated his address with the Court as required by D.N.M.LR-Civ 83.6. Because Petitioner has failed to comply with the Court's Orders and the Local Rules of the United States District Court for the District of New Mexico, the Court will dismiss his Petition Under 28 U.S.C. § 2241 for a Writ of Habeas Corpus [Doc. 1] without prejudice. *See Bradenburg v. Beaman*, 632 F.2d 120, 122 (10th Cir. 1980) (affirming the dismissal of a habeas corpus/civil rights complaint because the petitioner had failed to comply the district court's local rules).

**IT IS ORDERED** that Petitioner's Petition Under 28 U.S.C. § 2241 for a Writ of Habeas Corpus [Doc. 1] is **DISMISSED** without prejudice and judgment will be entered.



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UNITED STATES DISTRICT JUDGE